

OGC Has Reviewed

Mr. Roger W. Jones
Assistant Director for
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

This is in reply to your request of 20 July 1954 for comments from this Agency on enrolled bill S. J. Res. 96, to strengthen the foreign relations of the United States by establishing a Commission on Governmental Use of International Telecommunications. As the establishment of such a Commission is a matter of policy, I believe it would be inappropriate for this Agency to recommend that this resolution either be signed or vetoed. However, the powers of the proposed Commission as set forth in Section 10 of the enrolled bill are the cause of some concern to us.

Section 10(a) provides that the Commission or any Subcommittee thereof shall have the power to require, by subpoena or otherwise, the attendance of witnesses and the production of books, papers and documents. Under Section 10(c) the Commission is authorized to secure from any agency of the Government any information it deems necessary to carry out its functions, and each such agency is directed to furnish such information to the Commission.

The field of international telecommunications has been and is being subjected to intensive study at the highest levels of the Government. Certain highly classified reports in this field have been made to the President and certain activities in this field have been the subject of considerable discussion at the National Security Council level.

Under the authorities of Section 10 of the enrolled bill, the highly sensitive intelligence reports which have been made to the National Security Council and other Executive Departments of the Government, as well as continuing intelligence which is available in this field, might well be required by the Commission in its work. It is our feeling that many of these reports are of such a nature that they should receive dissemination only on the most limited basis within the Executive Departments. In carrying out the statutory functions of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure, it might be necessary to withhold some of this intelligence material from the Commission, at least until such time as a full security check has been made of the members of the Commission and its staff who had access to such material.

In view of the sweeping authorities contained in Section 10 of the unrolled bill, we feel it is appropriate to indicate to you our concern that these provisions could be utilized to require extensive disclosure of highly classified matters to the Commission, and that therefore approval of the bill might raise serious security considerations in the intelligence field.

While the views expressed herein can be utilized fully both by the Bureau of the Budget and the White House in reaching a final decision as to the appropriate action to be taken on this bill, it is requested that, if it is determined to veto this measure, the views of CIA not be identified in the veto message.

Sincerely yours,

Walter L. Pforzheimer
Legislative Counsel

GBC:WLP/blc
Orig. & 1- Addressee
2 - Signer
1 - General Counsel
1 - AD/Commo
1 - AD/SI
1 - DB/I

*Handcarried by FPS
23 July '64*